



# Community Development Department

**DATE:** April 5, 2022

**FROM:** Ben Ehreth, AICP, Community Development Director

**ITEM:** Cottonwood Parkview Addition First Replat – Minor Subdivision Final Plat

## **REQUEST:**

EWR Bismarck Land South, LLC and Wachter Family Revocable Trust are requesting approval of a minor subdivision final plat for Cottonwood Parkview Addition First Replat. The proposed plat will correct existing right-of-way inaccuracies for Kamrose Drive and Dortmund Drive within the plat and create two additional lots for two-family development along the east side of South Washington Street.

The property is located in south Bismarck, south of Santa Fe Avenue and north of East Burleigh Avenue, between South Washington Street and Boston Drive (a replat of Lots 3-9, Block 1, Lot 1, Block 2, Lot 1, Block 3, Lot 1, Block 6, Cottonwood Parkview Addition).

Please place this item on the April 12, 2022 City Commission meeting agenda.

## **BACKGROUND INFORMATION:**

The Planning & Zoning Commission held a public hearing on this request on March 23, 2022.

No residents spoke at the public hearing or submitted written comments.

At the conclusion of public hearing, and based on the findings contained in the staff report, the Planning & Zoning Commission unanimously recommended approval of the minor subdivision final plat for Cottonwood Parkview Addition First Replat.

## **RECOMMENDED CITY COMMISSION ACTION:**

Consider the request for approval of a minor subdivision final plat for Cottonwood Parkview Addition First Replat and take final action on the request.

**STAFF CONTACT INFORMATION:**

Ben Ehreth, AICP, Community Development Director | 355-1842 or [behreth@bismarcknd.gov](mailto:behreth@bismarcknd.gov)

Kim L. Lee, AICP, Planning Manager | 355-1846 or [klee@bismarcknd.gov](mailto:klee@bismarcknd.gov)

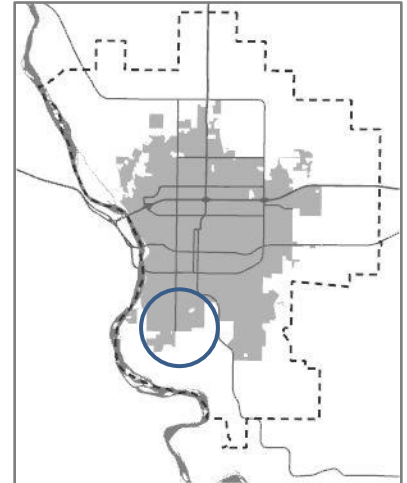
Jenny Wollmuth, AICP, CFM, Senior Planner | 355-1845 or [jwollmuth@bismarcknd.gov](mailto:jwollmuth@bismarcknd.gov)

## STAFF REPORT

Application for: **Minor Subdivision Final Plat** Project ID: **MPLT2022-003**

### Project Summary

<i>Title:</i>	Cottonwood Parkview Addition First Replat
<i>Status:</i>	Planning & Zoning Commission – Public Hearing
<i>Owner(s):</i>	EWR Bismarck Land South, LLC Wachter Family Revocable Trust
<i>Project Contact:</i>	Michael Gunsch, PE, Houston Engineering
<i>Location:</i>	In south Bismarck, south of Santa Fe Avenue and north of East Burleigh Avenue, between South Washington Street and Boston Drive (a replat of Lots 3-9, Block 1, Lot 1, Block 2, Lot 1, Block 3, Lot 1, Block 6, Cottonwood Parkview Addition)
<i>Project Size:</i>	20.17 acres
<i>Request:</i>	Replat property to fix roadway alignments



### Site Information

Existing Conditions		Proposed Conditions	
<i>Number of Lots:</i>	9 lots in 3 blocks	<i>Number of Lots:</i>	12 lots in 4 blocks
<i>Land Use:</i>	Undeveloped	<i>Land Use:</i>	Undeveloped
<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan	<i>Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	Conditional R10 – Residential RM10 – Residential RM15 – Residential RM30 – Residential	<i>Zoning:</i>	Conditional R10 – Residential RM10 – Residential RM15 – Residential RM30 – Residential
<i>Uses Allowed:</i>	Conditional R10 – Two-family residential RM10 – Multi-family residential RM15 – Multi-family residential RM30 – Multi-family residential	<i>Uses Allowed:</i>	Conditional R10 – Two-family residential RM10 – Multi-family residential RM15 – Multi-family residential RM30 – Multi-family residential
<i>Max Density:</i>	Conditional R10 – 10 units / acre RM10 – 10 units / acre RM15 – 15 units / acre RM 30 – 30 units / acre	<i>Max Density:</i>	Conditional R10 – 10 units / acre RM10 – 10 units / acre RM15 – 15 units / acre RM 30 – 30 units / acre

(continued)

---

**Property History**

---

<i>Zoned:</i>	06/2018	<i>Platted:</i>	06/2018	<i>Annexed:</i>	06/2018
---------------	---------	-----------------	---------	-----------------	---------

---

**Staff Analysis**

EWR Bismarck Land South, LLC and Wachter Family Revocable Trust are requesting approval of a minor subdivision final plat for Cottonwood Parkview Addition First Replat.

The proposed plat is being requested to correct existing right-of-way inaccuracies for Kamrose Drive and Dortmund Drive within the plat and create two additional lots for two-family development along the east side of South Washington Street.

The public has been duly notified of this request. A notice was published in the Bismarck Tribune on March 11<sup>th</sup> and March 18<sup>th</sup>, and 89 letters were mailed to the owners of nearby properties on March 11<sup>th</sup>.

Adjacent uses include developing commercial property to the north, developing two-family residential to the east across Baltimore Drive and south across Lennox Drive, single family residential to south, and single and multi-family residential to the west, across South Washington Street.

***Utility Capital Charges***

The proposed minor plat is subject to utility capital charges for municipal utilities as it will create two new lots for development. Utility capital charges are due at the latter of three points: annexation and platting; water and sewer escrow; or petition for street improvement.

**Required Findings of Fact (relating to land use)**

1. All technical requirements for approval of a minor subdivision final plat have been met;
2. The City Engineer has conditionally approved the Post-Construction Stormwater Management Permit (PCSMP)
3. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance;
4. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
5. The proposed subdivision would not adversely affect the public health, safety and general welfare.

**Staff Recommendation**

Based on the above findings, staff recommends approval of the minor subdivision final plat for Cottonwood Parkview Addition First Replat.

**Attachments**

1. Location Map
2. Aerial Map
3. Zoning and Plan Reference Map
4. Minor Plat
5. Original Plat with Replatted Area Highlighted

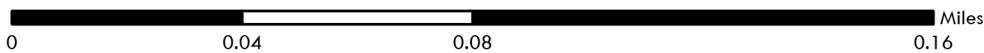
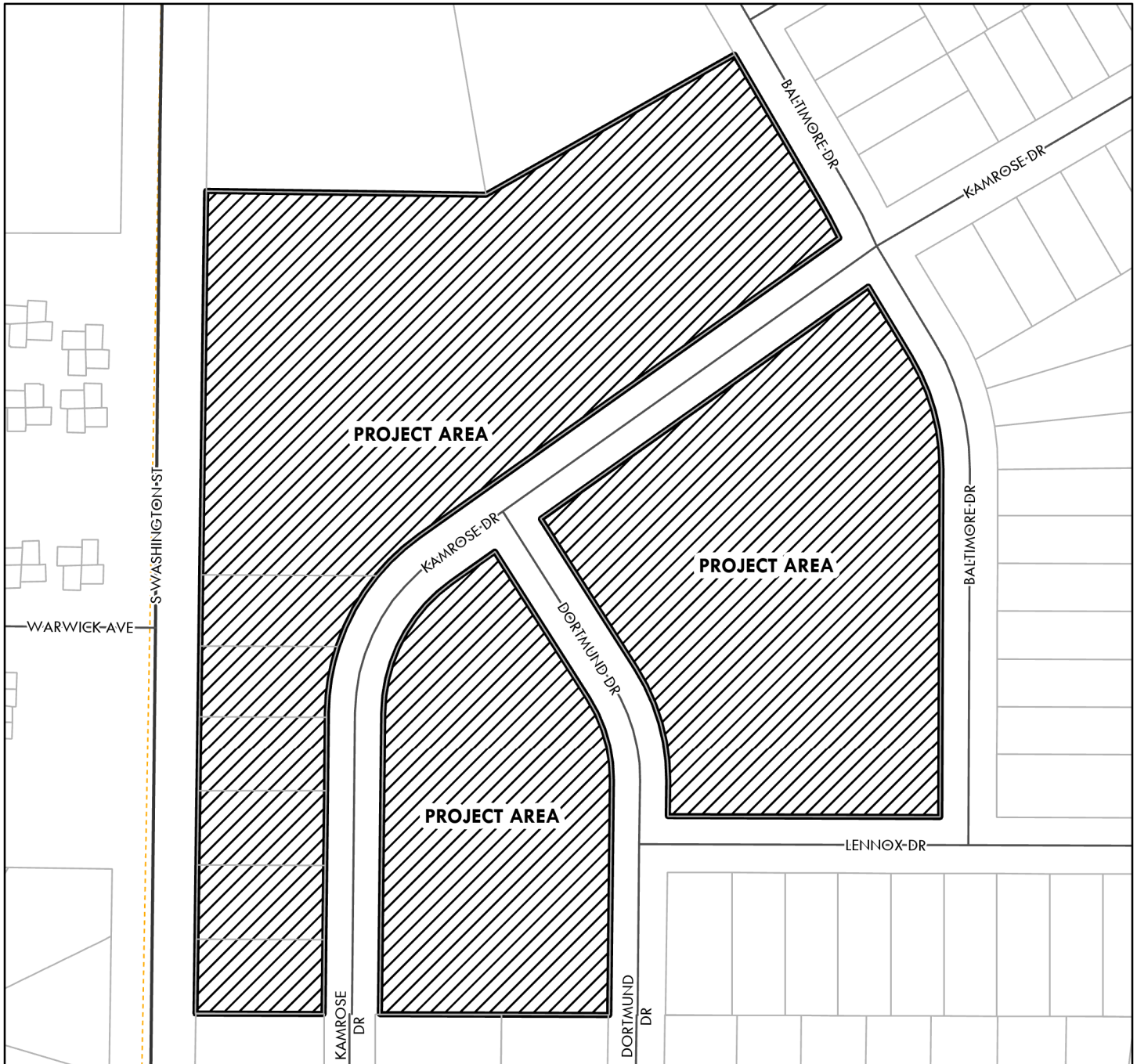




# Location Map

COTTONWOOD PARKVIEW ADDITION FIRST REPLAT

MPLT2022-003



City Limits

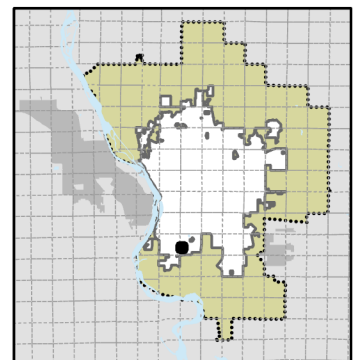


Bismarck ETA Jurisdiction

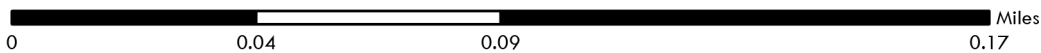
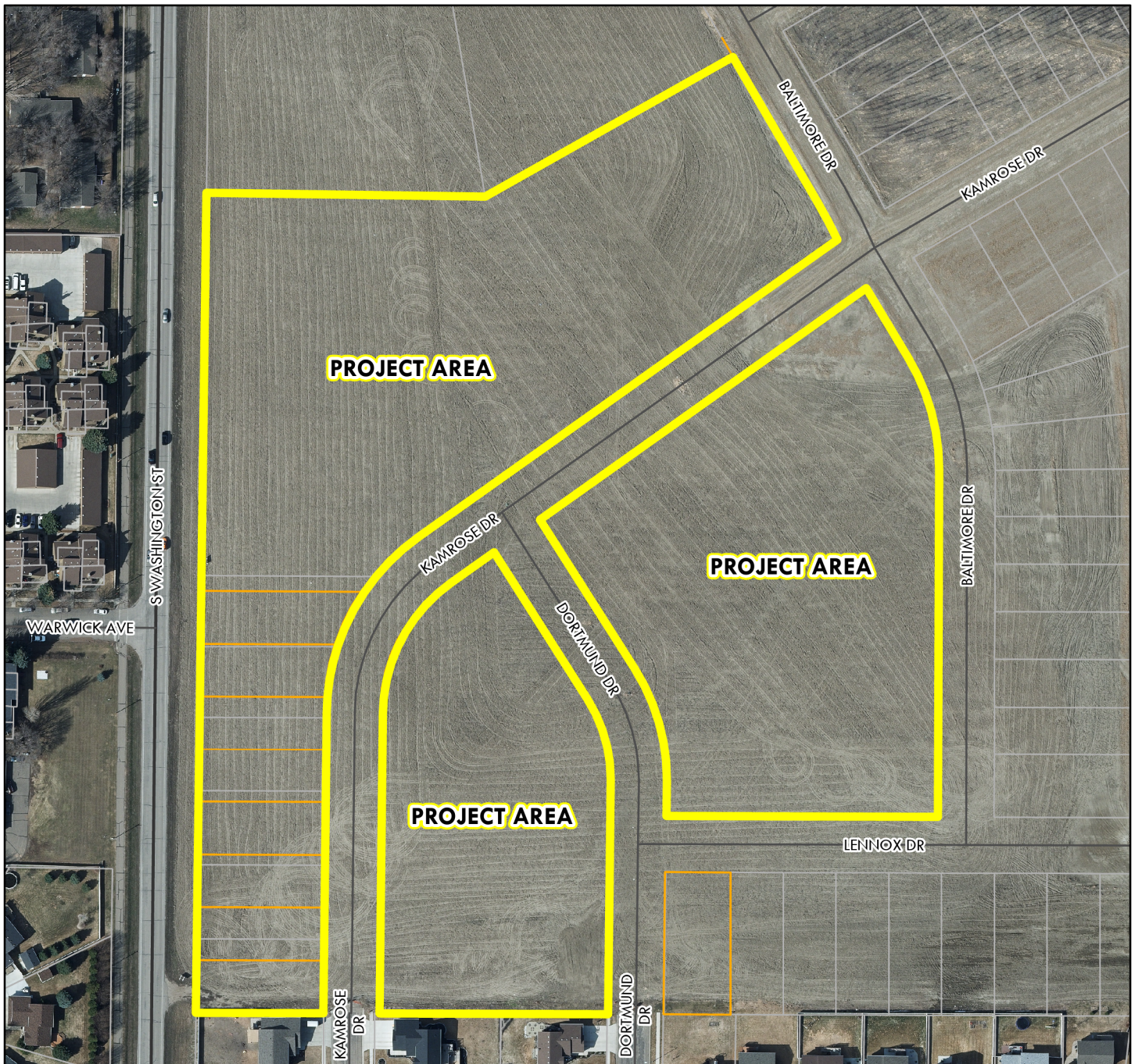
City of Bismarck  
Community Development Department  
Planning Division  
March 17, 2022 (HLB)

*Section, township, and  
range indicated in orange*

*This map is for representational use only and does not represent a survey.  
No liability is assumed as to the accuracy of the data delineated hereon.*





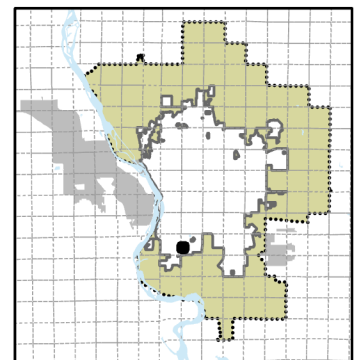


 City Limits  Bismarck ETA Jurisdiction

Aerial Imagery from April 2020

City of Bismarck  
Finance Department  
IT/GIS Division  
March 17, 2022

*This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.*







## Zoning and Plan Reference Map

MPLT2022-003

COTTONWOOD PARKVIEW ADDITION FIRST REPLAT

### Zoning Districts

<b>A</b>	Agriculture
<b>RR</b>	Rural
<b>R5</b>	Residential
<b>RMH</b>	Manufactured
	Home Residential
<b>R10</b>	Residential
<b>RM</b>	Multifamily
<b>RT</b>	Residential
	(Offices)
<b>HM</b>	Health and
	Medical
<b>CA</b>	Commercial
<b>CG</b>	Commercial
<b>MA</b>	Industrial
<b>MB</b>	Industrial
<b>PUD</b>	Planned Unit
	Development
<b>DC</b>	Downtown Core
<b>DF</b>	Downtown Fringe

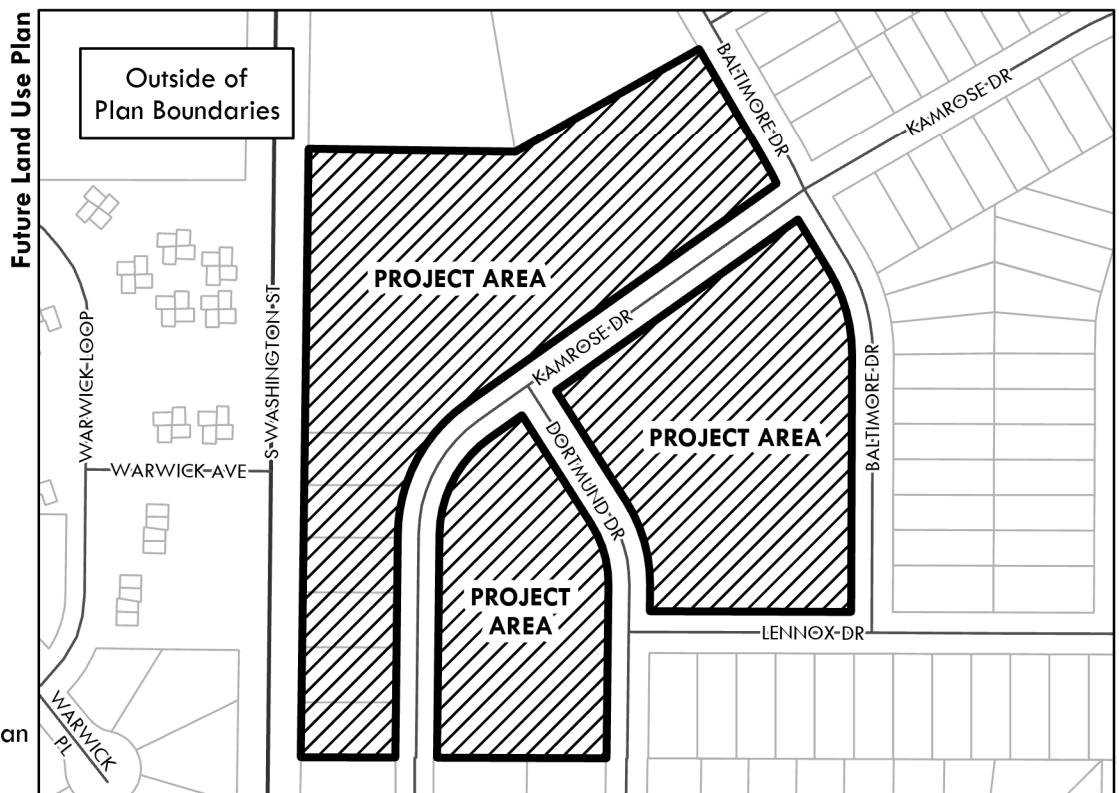
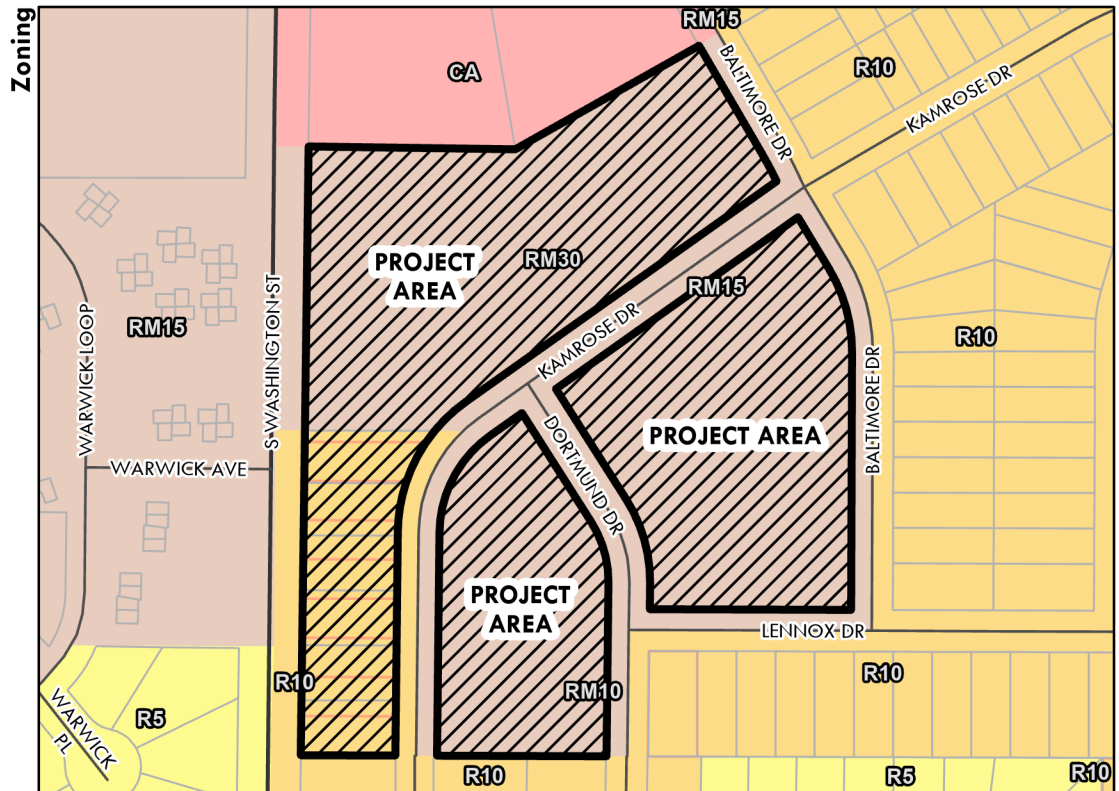
### Future Land Use Plan

<b>CONSRV</b>	Conservation
<b>BP</b>	Business Park
<b>C</b>	Commercial
<b>C/MU</b>	Commercial/ Mixed Use
<b>CIVIC</b>	Civic
<b>HDR</b>	High Density
<b>I</b>	Industrial
<b>LDR</b>	Low Density
	Residential
<b>MDR</b>	Medium Density
	Residential
<b>MDR- /MU</b>	Medium Density Residential/ Mixed Use
<b>O/MU</b>	Office/ Mixed Use
<b>RR-C</b>	Clustered Rural
<b>RR</b>	Standard Rural
	Residential
<b>UR</b>	Urban Reserve

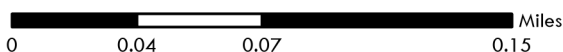
### Fringe Area Road Master Plan

● ● ● Future Arterial Road

■ ■ ■ Future Collector Road



This map is for representational use only and does not represent a survey.  
No liability is assumed as to the accuracy of the data delineated hereon.



City of Bismarck  
Community Development Dept.  
Planning Division  
March 17, 2022

A REPLAT OF LOTS 3-9 BLOCK 1, LOT 1 BLOCK 2, LOT 1 BLOCK 3, LOT 1 BLOCK 6 AND PART OF KAMROSE DRIVE RIGHT OF WAY, PART OF LENNOX DRIVE RIGHT OF WAY, THE WEST HALF OF BALTIMORE DRIVE RIGHT OF WAY, THE EAST HALF OF WASHINGTON STREET RIGHT OF WAY AND DORTMUND DRIVE RIGHT OF WAY OF COTTONWOOD PARKVIEW ADDITION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 20.17 ACRES, MORE OR LESS.

KNOW ALL MEN BY THESE PRESENTS THAT SON STRINDEN, PRESIDENT OF EWR BISMARCK SOUTH LLC, AND PAUL C. WACHTER AND VALERIE S. WACHTER, TRUSTEES OF WACHTER FAMILY REVOCABLE TRUST, BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN HEREON HAS CAUSED THAT PORTION DESIGNATED HEREON TO BE SURVEYED AND PLATTED AS "COTTONWOOD PARKVIEW ADDITION FIRST REPLAT", TO THE CITY OF BISMARCK NORTH DAKOTA AND DOES SO DEDICATE AND REDEDICATE TO THE CITY OF BISMARCK STREETS AS SHOWN HEREON INCLUDING ALL SANITARY SEWER, WATER, CULVERTS, STORMWATER AND OTHER PUBLIC UTILITY LINES WHETHER SHOWN HERE ON OR NOT TO THE PUBLIC USE FOREVER.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

JON STRINDEN, PRESIDENT  
EWR BISMARCK SOUTH LLC  
OWNER, LOTS 1-9 BLOCK 1, BLOCK 2, & BLOCK 3

\_\_\_\_\_  
COUNTY NOTARY PUBLIC

STATE OF \_\_\_\_\_ )  
 ) ss  
 PAUL C. WACHTER - TRUSTEE  
 WACHTER FAMILY REVOCABLE TRUST  
 OWNER, LOT 1 BLOCK 4  
 VALERIE S. WACHTER - TRUSTEE  
 WACHTER FAMILY REVOCABLE TRUST  
 OWNER, LOT 1 BLOCK 4

\_\_\_\_\_, NOTARY PUBLIC  
COUNTY.

THE SUBDIVISION OF LAND AS SHOWN ON THE PLAT HAS BEEN APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BISMARCK ON THE \_\_\_\_ DAY OF \_\_\_\_, 2022, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK

\_\_\_\_\_  
MICHAEL J. SCHWARTZ, CHAIRMAN

\_\_\_\_\_  
ATTEST  
BEN EHRETH, SECRETARY

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED SUBDIVISION OF LAND AS SHOWN ON THIS PLAT, HAS ACCEPTED THE RE-DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE APPROVED PLAT.

THE FOREGOING ACTION OF THE BOARD OF COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ATTEST  
KEITH J. HUNKE - CITY ADMINISTRATOR

I, GABRIEL J. SCHELL, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "COTTONWOOD PARKVIEW ADDITION FIRST REPLAT", BISMARCK, NORTH DAKOTA AS SHOWN ON THIS PLAT.

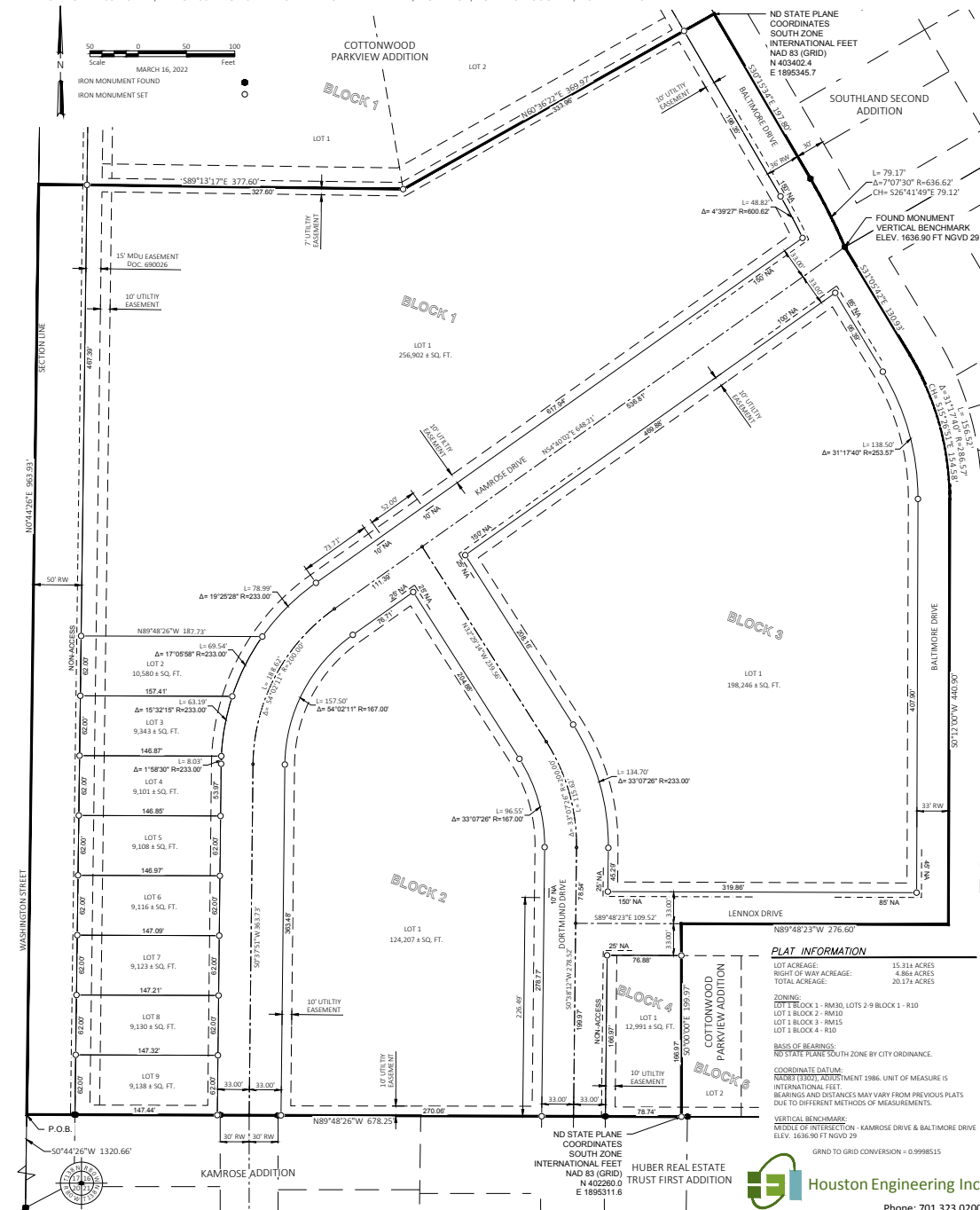
GABRIEL J. SCHELL, CITY ENGINEER

I, TODD MARSHALL, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THAT THIS PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON THE 13TH DAY OF JULY, 2021, THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. MONUMENTS TO BE SET PRIOR TO PLAT RECORDATION.

TODD MARSHALL, LAND SURVEYOR  
LICENSE NO. 4431

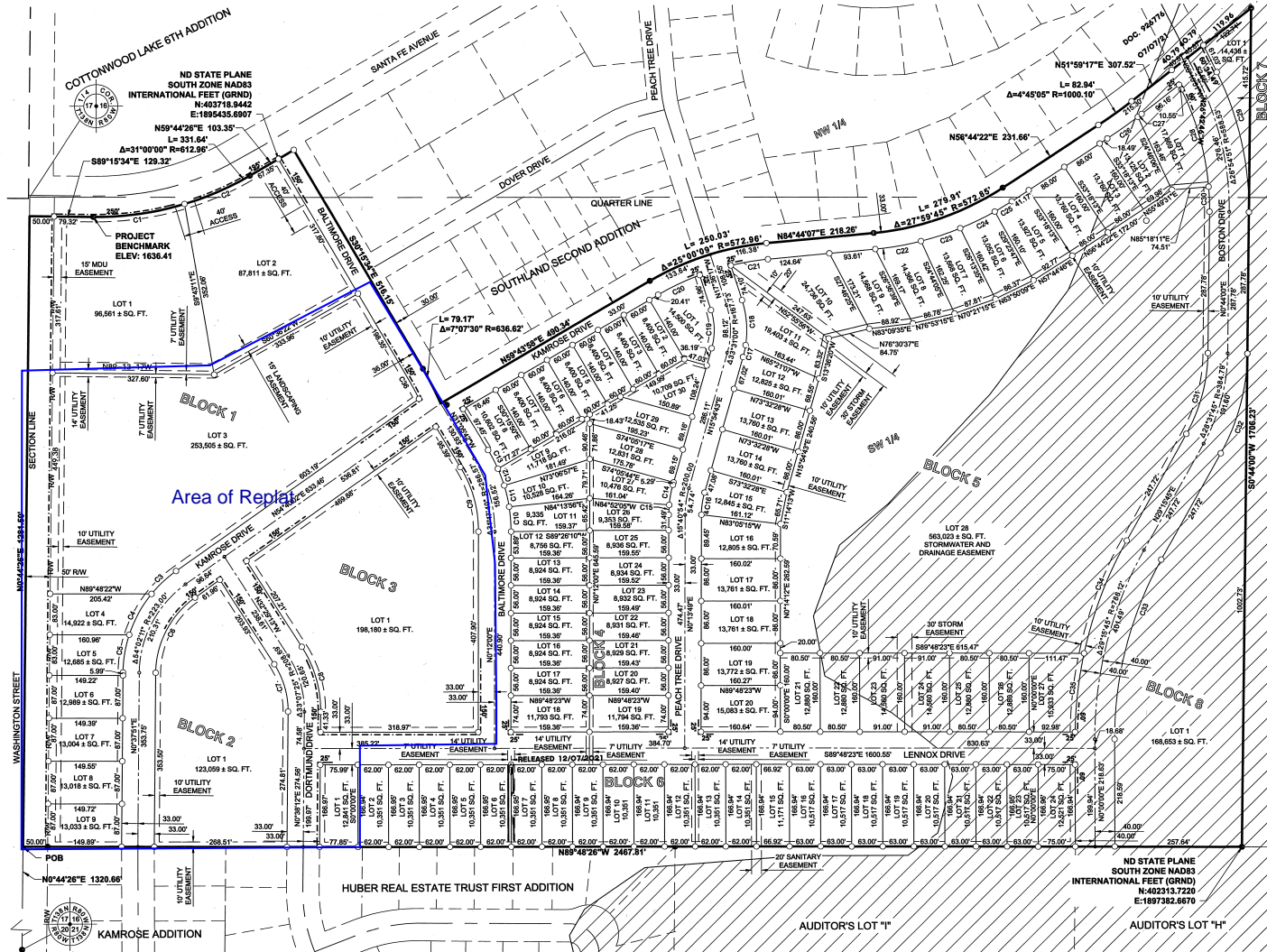
HOUSTON ENGINEERING, INC  
3712 LOCKPORT STREET  
BISMARCK, NORTH DAKOTA, 58501

A REPLAT OF LOTS 3-9 BLOCK 1, LOT 1 BLOCK 2, LOT 1 BLOCK 3, LOT 1 BLOCK 6 AND PART OF KAMROSE DRIVE RIGHT OF WAY, PART OF LENNOX DRIVE RIGHT OF WAY, THE WEST HALF OF BALTIMORE DRIVE RIGHT OF WAY, THE EAST HALF OF WASHINGTON STREET RIGHT OF WAY AND DORTMUND DRIVE RIGHT OF WAY OF COTTONWOOD PARKVIEW ADDITION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



# COTTONWOOD PARKVIEW ADDITION

A REPLAT OF AUDITOR'S LOT J OF THE NW 1/4 AND SW 1/4 AND AUDITOR'S LOT K OF THE SW 1/4 AND PART OF KAMROSE DRIVE RIGHT OF WAY AND PART OF THE WEST HALF OF SECTION 16, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA



### PLAT INFORMATION

LOT ACRES: 57.86 ACRES  
RIGHT OF WAY ACRES: 13.84 ACRES  
TOTAL ACRES: 71.74 ACRES  
NW1/4 ACRES: 3.24 ACRES  
SW1/4 ACRES: 69.50 ACRES  
BASIS OF BEARINGS: ND STATE PLANE SOUTH ZONE NAD83 (3302). ADJUSTMENT 1986. UNIT OF MEASURE IS INTERNATIONAL FEET.  
CONTOUR VERTICAL DATUM: NAVD 88  
FLOODPLAIN VERTICAL DATUM: NAVD 88  
TOPOGRAPHIC CONTOURS ARE DERIVED FROM SURVEY

### BENCHMARK

N CORNER OF LOT 1 BLOCK 1  
ELEV. 1636.41 NAVD 88

### UNBUILDABLE LOTS

LOT 28 BLOCK 5 - STORMWATER AND DRAINAGE EASEMENT  
LOT 1 BLOCK 7  
LOT 1 BLOCK 8

### SURVEYOR'S NOTES

- SANITARY SEWER EASEMENT DOCUMENT #688478 TO BE ELIMINATED BY THIS DOCUMENT.
- MDU EASEMENT TO BE ELIMINATED DOCUMENT #690026 BY CREATION OF A UTILITY EASEMENT.

### LEGEND

- PLAT BOUNDARY  
LOT LINE  
EASEMENT  
NON ACCESS LINE  
IRON MONUMENT FOUND  
IRON MONUMENT SET  
MEASURED DISTANCE  
MEASURED BEARING  
FLOODPLAIN  
FLOODPLAIN - 100YR  
1634 (WEST) TO  
1632 (EAST)  
FEMA MAP NO. 38015C07650  
REVISED AUGUST 4, 2014

Curve Table			
Curve #	Length	Radius	Delta
C1	147.26'	612.96'	17°30'15"
C2	144.38'	612.96'	13°29'48"
C3	68.04'	256.00'	10°13'37"
C4	95.03'	256.00'	21°16'09"
C5	78.37'	256.00'	17°32'25"
C6	179.19'	190.00'	54°02'11"
C7	101.57'	175.69'	33°07'29"
C8	139.72'	241.69'	33°07'29"
C9	138.59'	253.17'	31°20'43"
C10	50.68'	319.57'	9°00'10"

Curve Table			
Curve #	Length	Radius	Delta
C11	44.67'	319.57'	8°00'30"
C12	38.50'	319.57'	8°33'12"
C13	42.65'	319.57'	7°38'48"
C14	41.71'	228.82'	10°26'37"
C15	20.14'	251.07'	4°35'47"
C16	45.71'	167.00'	15°40'54"
C17	24.89'	200.73'	7°06'14"
C18	92.54'	200.73'	28°24'47"
C19	78.81'	134.73'	33°31'00"
C20	93.34'	539.96'	9°54'16"

Curve Table			
Curve #	Length	Radius	Delta
C21	78.24'	539.96'	8°09'23"
C22	93.84'	590.64'	9°06'13"
C23	83.92'	578.32'	8°18'51"
C24	77.58'	564.79'	7°52'14"
C25	40.70'	606.85'	3°50'57"
C26	75.81'	1274.18'	3°24'32"
C27	9.86'	1033.10'	0°32'49"
C28	900.00'	540.59'	61°59'54"
C29	900.00'	540.59'	61°59'54"
C30	267.87'	448.63'	38°58'33"

Curve Table			
Curve #	Length	Radius	Delta
C31	171.68'	344.79'	28°31'45"
C32	211.51'	424.79'	28°31'45"
C33	381.07'	746.12'	29°15'45"
C34	246.21'	826.12'	17°04'33"
C35	161.28'	826.12'	11°11'03"
C36	48.82'	690.62'	4°39'27"

07/07/21

DGC 926776

C28 218.36' 577.26' 21°40'25"

C29 314.85' 657.26' 27°24'47"

C30 50.96' 577.26' 05°03'37"



Sheet 2 of 2  
Houston Engineering Inc.  
Phone: 701.323.0200